

# **EXHIBIT G**

CAUSE NO. 2024-34589

COAST TO COAST TITLE, LLC, SOL	§	IN THE DISTRICT COURT OF
CITY TITLE, LLC, MAGNOLIA TITLE	§	
ARKANSAS, LTD., MAGNOLIA TITLE	§	
FLORIDA, LLC, THE PEABODY	§	
BULLDOG, LLC, AND JOHN MAGNESS	§	
<i>Plaintiffs</i>	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
TYRELL L. GARTH, PHILLIP H.	§	
CLAYTON, DEBBIE MERRITT A/K/A	§	
DEBORAH MERRITT, MATTHEW D.	§	
HILL, CHARLES BURNS, P. GARRETT	§	
CLAYTON, SCOTT M. REEVES,	§	
ARIANE E. YOUNG, TINGLEMERRITT,	§	
LLP, STARREX TITLE FLORIDA, LLC,	§	
LAURIE COOPER, MARKETSTREET	§	
CAPITAL PARTNERS, LLC,	§	
MARKETSTREET CAPITAL PARTNERS	§	
AR, LLC, AND BRIAN A. BREWER	§	
<i>Defendants</i>	§	11TH JUDICIAL DISTRICT COURT

**DEFENDANT'S ORIGINAL ANSWER**

Defendant Tyrrell L. Garth files his Original Answer, as follows:

**I.**  
**GENERAL DENIAL**

Pursuant to Texas Rule of Civil Procedure 92, Defendant generally denies the allegations contained in Plaintiffs' Original Petition, as well as any other amended or supplemental petition filed hereafter, and demands strict proof thereof as required by the Constitution and the laws of the State of Texas.

**II.**  
**DEFENSES**

Defendant asserts the following defenses as authorized by the Texas Rules of Civil Procedure:

**FIRST DEFENSE**

Plaintiffs' claims must fail because their own acts and omissions caused or contributed to their alleged damages.

**SECOND DEFENSE**

Plaintiffs' claims must fail because one or more Plaintiff ratified the document in question.

**THIRD DEFENSE**

Plaintiffs' claims must fail because Defendant's acts and omissions were justified and/or privileged.

**FOURTH DEFENSE**

Plaintiffs' claims must fail to the extent they did not mitigate their damages.

**FIFTH DEFENSE**

Plaintiffs' claims must fail due to the doctrines of waiver and estoppel.

**SIX DEFENSE**

Plaintiffs' claims are barred in whole or in part by the applicable statutory ceilings on recoverable damages, including but not limited to those found in Chapter 41 of the Texas Civil Practice & Remedies Code, the Due Process Clauses of the United States and Texas Constitution, and other applicable laws.

**SEVENTH DEFENSE**

Plaintiffs cannot recover damages under multiple or different theories and causes of action for the same or similar acts. Plaintiffs are entitled to only one remedy for their claims.

**EIGHTH DEFENSE**

Plaintiffs' claim of exemplary damages is barred because Defendant did not act with malice.

Defendant specifically reserves the right to amend this Answer to add or delete affirmative defenses as additional investigation, discovery, or circumstances warrant.

**III.**  
**PRAYER**

WHEREFORE PREMISES CONSIDERED, Defendant Tyrrell L. Garth respectfully prays that upon final trial and hearing hereof, Plaintiffs take nothing by reason of the allegations contained in Plaintiffs' Original Petition, that all claims against Defendant be dismissed, and for such other and further relief, special or general, at law or in equity, to which he may show himself justly entitled to receive.

Respectfully submitted,

MARTIN, DISIERE, JEFFERSON & WISDOM, LLP

/s/ James M. Cleary, Jr.

James M. Cleary, Jr.

Texas Bar No. 00783838

*cleary@mdjwlaw.com*

W. Jackson Wisdom

Texas Bar No. 21804025

*wisdom@mdjwlaw.com*

808 Travis Street, Suite 1100

Houston, Texas 77002

Telephone: (713) 632-1700

Facsimile: (713) 222-0101

**ATTORNEYS FOR DEFENDANT,  
TYRRELL L. GARTH**

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing pleading has been forwarded via the e-service system on July 24, 2024 to:

Simon W. Hendershot, III  
Ian F. McNeil  
Philip D. Racusin  
HENDERSHOT COWART P.C.  
1800 Bering Drive, Suite 600  
Houston, Texas 77057  
*Attorneys for Plaintiffs*

*Via E-Mail: trey@hchlawyers.com*  
*Via E-Mail: IMcNeil@hchlawyers.com*  
*Via E-Mail: pracusin@hchlawyers.com*

Steven C. Earl  
James E. Graham  
STILWELL, EARL & APOSTOLAKIS, LLP  
128 Vision Park Blvd., Suite 140  
Shenandoah, Texas 77384  
*Attorneys for Defendants,*  
*Starrex Title Florida, LLC,*  
*Marketstreet Capital Partners, LLC,*  
*Marketstreet Capital Partners AR, LLC,*  
*Brian A. Brewer and Laurie Cooper*

*Via E-Mail: steven@woodlandstxlawfirm.com*  
*Via E-Mail: jim@woodlandstxlawfirm.com*

/s/ James M. Cleary, Jr.

James M. Cleary, Jr.

**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Veronica Rodriguez on behalf of James Michael Cleary

Bar No. 783838

veronicar@mdjwlaw.com

Envelope ID: 90149822

Filing Code Description: Answer/ Response / Waiver

Filing Description: Defendant Tyrrell L. Garth's Original Answer

Status as of 7/24/2024 5:00 PM CST

**Case Contacts**

Name	BarNumber	Email	TimestampSubmitted	Status
James M.Cleary		cleary@mdjwlaw.com	7/24/2024 4:02:52 PM	SENT
Heather Scott		Heather@woodlandstxlawfirm.com	7/24/2024 4:02:52 PM	SENT
Steven CEarl		steven@woodlandstxlawfirm.com	7/24/2024 4:02:52 PM	SENT
Jim Graham		jim@woodlandstxlawfirm.com	7/24/2024 4:02:52 PM	SENT
Simon Hendershot	9417200	trey@hchlaxlawyers.com	7/24/2024 4:02:52 PM	SENT
HENDERSHOT COWART P.C.		netdocs@hchlaxlawyers.com	7/24/2024 4:02:52 PM	SENT
Elizabeth T.Garcia		egarcia@hchlaxlawyers.com	7/24/2024 4:02:52 PM	SENT
Philip D.Racusin		pracusin@hchlaxlawyers.com	7/24/2024 4:02:52 PM	SENT
W. Jackson Wisdom		wisdom@mdjwlaw.com	7/24/2024 4:02:52 PM	SENT
Ian F.McNeil		IMcNeil@hchlaxlawyers.com	7/24/2024 4:02:52 PM	ERROR